

2004 ANNUAL REPORT

INTRODUCTION AND INSTRUCTIONS

For Coal Mining Annual Report forms. If you have any questions or problems, please contact Randy Harden at (801) 538-5285 or email your questions to randyharden@utah.gov

In addition to the 2004 Annual Report form, samples for inspection of structures which require certified reports are also included. Two forms are attached. The first form is the **IMPOUNDMENT INSPECTION AND CERTIFIED REPORT** form which can be used to report all impounding structures including sediment ponds. The second form is the **INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE** form. While all of the inspections for 2004 should have been accomplished prior to receiving these forms, the permittee is encouraged to adopt and use these forms for future inspection and reporting requirements. These forms are meant to ensure that the **minimum** requirements as specified the Coal Rules are being met. The permittee is encouraged to expand and/or customize these forms as necessary to meet their specific needs.

THE 2004 ANNUAL REPORT FORM

The Annual Report form serves as a checklist to identify information, which must be periodically reported to the Division. The form serves to organize this information into logical sections for submitting this information. The actual information required in the annual report is to be provided in the appendices following the report.

The Annual Report form consists of 7 sections:

General Information

General information to identify which permit the annual report is for, and to ensure that the names of the person to contact, including the resident agent are current.

1. Make sure the name and address of the Resident Agent for your operations is current as well as the authorized representative.

Identification of Other Permits

Identify other permits which are required in conjunction with mining and reclamation activities

1. Verify that other permits required for mining operations are current. UPDES discharge permits are especially susceptible to slipping beyond their expiration date.

Certified Reports

List the certified inspection reports as required by the rules and under the approved plan which must be periodically submitted to the Division. Specify whether the information is included as **APPENDIX A** to this Annual Report or currently ON FILE with the Division.

1. The regulatory requirement to provide certified reports is a primary reason for requiring annual reports. At a minimum, sediment ponds and refuse piles need to be inspected and certified reports compiled on a quarterly basis. The Division has been requiring that the reports be maintained at

the mine site promptly after the inspections occur but that copies of these reports only need to be submitted to the Division on an annual basis. Make sure that the frequency and reporting requirements as required by the rules and as committed to in your mining and reclamation plan are being met.

2. Make sure the certified reports are stamped, and signed by the certified person responsible for those reports. Refer to R645-301-514 for inspection and reporting requirements.
3. Sample forms are included in this annual report package. Please use them or at least use them as a guide to ensure that the minimum reporting requirements under the Coal Rules are being met.

Reporting of Other Technical Data

List other technical data and information as required under the approved plan which must be periodically submitted to the Division. Specify whether the information is included as **APPENDIX B** to this Annual Report or currently ON FILE with the Division.

1. Other technical data includes any monitoring information and data reporting requirements that are required as part of your mining and reclamation plan. These include water, vegetation, raptor surveys, subsidence, landslides and anything else which has been committed to in the plan to be submitted as part of the annual report. Because each mining and reclamation plan is different and the monitoring and reporting requirements are different, the amount and type of information varies greatly among operations.
2. Make sure these reports contain the information as specified under R645-301-130 and -140.

Legal, Financial, Compliance and Related Information

Changes in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the Annual Report. Provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other changes as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include any certified financial statements, audits or worksheets which may be required to meet bonding requirements. Specify whether the information is currently ON FILE with the Division or included as **APPENDIX C** to this Annual Report.

1. Use the annual report as a reminder to check and update legal, compliance and related information.
2. If changes in control or ownership of the company have occurred, the operator needs to follow up by submitting a permit change request to incorporate such information into the approved mining and reclamation plan.
3. This information is necessary to update the OSM-AVS (Applicator Violation System) database.

Mine Maps

Copies of mine maps, current and up-to-date through at least December 31, 2004, are to be provided to the Division as **APPENDIX D** to this Annual Report in accordance with the requirements of R645-301-525.240. These map copies shall be made in accordance with 30 CFR

75.1200, as required by MSHA. Upon request, mine maps shall be kept confidential by the Division.

1. Use the same mine maps that are required by and submitted to MSHA. These maps at a scale of 1" = 1000' (to match the subsidence survey map [R645-301-525.110] would be greatly appreciated).
2. Make sure the maps are dated on or after December 31, 2004, and that the maps are certified.
3. If possible, the Division would like to receive CAD drawings files of these mine maps or any other maps submitted to the Division on disk.

Other Information

Please provide any comments or further information to be included as part of the Annual Report. Any other attachments are to be provided as **APPENDIX E** to this Annual Report.

1. No form ever seems to cover everything, so here's a place to put stuff that doesn't seem to fit in anywhere else in the annual report.

THE APPENDICES

Use the pages marked for each appendix to separate the information in your annual report. On the cover page for each appendix, include a table of contents which includes the name of each item to be found in that appendix. Using separation pages or tabs for each section or report would also be helpful.

FREQUENTLY ASKED QUESTIONS

1. How many copies of the report do I need to make?

TWO copies of the Annual Report need to be sent to the Division. Another copy should be kept at the mine site with your copy of the mining and reclamation plan. DOGM will keep one copy in Salt Lake and the second copy at the Price Field Office.

2. Can I send the Annual Report back to DOGM on disk?

Yes, but the Annual Report form itself is only about 3 pages. If you have a computer/printer/software problem that prevents you from printing out copies of your Annual Report Form then send DOGM a disk with your completed form and we will print it out. Often, missing fonts or different types of printers will mess up the format of a document.

The biggest problem is that much of the information required in the appendices of the Annual Report cannot be compiled in an 'electronic' manner, so printed copies of the report and its information are still necessary for filing in the public room.

3. What if I don't have all the information that is required in the Annual Report?

First, make sure that you are required by your plan or the regulations to submit the information requested. If the form is asking for "climatological" data and your plan doesn't require it, just mark NO on the "Report required?" part of the form. If the information requested on the form is not applicable, put N/A. If there is no expiration date or permit number or information relevant to a question on the form, put NONE.

Second, if the information is required, but you already sent it in, indicate that the information is ON FILE with the Division and include the date of the report and a brief description of the information. **DON'T SEND DUPLICATE COPIES OF INFORMATION ALREADY SUBMITTED TO THE DIVISION**, especially water monitoring data from previous reporting periods. If you have already sent in an annual report or other information required, just reference to that information and don't duplicate the reports.

Third, if you are required to have the information but don't, indicate so on the form, and provide an explanation.

4. What happened to all that stuff about providing a detailed water monitoring report, summarizing and analyzing the raw data?

The short answer is that it is not required as a function of the annual report. ***However, analysis of the water monitoring data is important in updating and re-evaluation of the information presented in the PHC section of the plan. Any circumstances that may affect the hydrology at the mine should prompt a review and analysis of the PHC and require an update as necessary. This type of information should be submitted to the Division as an amendment to the plan so that any changes or results from evaluation of the data can be incorporated into the approved plan.***

5. Should I include the current raptor survey data?

In December 1998, it was agreed between the Division of Wildlife Resources Director, John Kimball, and the Division of Oil, Gas & Mining Director, Lowell Braxton, that raptor surveys are public information and can be on file for coal mining operations. Since raptor data constitutes required background information, it needs to be on file as part of the mine plan.